[*Note.*—**An asterisk (*) at the commencement of a speech indicates revision by the Member.**]

II.—MOTION UNDER STANDING ORDER No. 4 *RE* ANSWER TO QUESTION No. 513.

Mr. P. V. Krishnayya Choudari :—" Mr. President, under Standing Order No. 4, I propose to raise a debate for half an hour after 5 p.m. to-day in view of the incomplete nature of the answers given on question No. 513."

* The Hon. the President :—" I do not see the importance of it and I therefore disallow the motion."

NON-OFFICIAL BUSINESS.

III.—A BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908 (BILL No. 2 OF 1935).

Sriman M. G. Patnaik Mahasayo :—" Mr. President, Sir, I beg to move, under Standing Order No. 33 that item No. 1* may be postponed till after item No. 2 is disposed of. It will take only two minutes. Item No. 2 is : 11-15 a.m.

'*To present the report of the Select Committee on the Bill to amend the Madras Estates Land Act,* 1908 (*Bill No.* 2 *of* 1935), *and move that the Bill be taken into consideration.*'

'*If the motion is carried and the Bill is considered I will move that the Bill be passed into law.*' "

Mr. P. V. Krishnayya Choudari :—" Sir, I beg to second the motion."

The Hon. Mr. C. A. Souter :—" I have no objection, Sir. So far as this Bill is concerned it will take five seconds."

Mr. C. Basu Dev :—" Sir, I beg to move that items 4, 6 . . . "

* The Hon. the President :—" The Hon. member can move it as a separate motion after Mr. Patnaik's motion is disposed of."

The question is that item No. 1 may be postponed till after item No. 2 is disposed of.

The motion was carried.

Sriman M. G. Patnaik Mahasayo :—" Mr. President, Sir, I beg to present the report of the Select Committee on the Bill to amend the Madras Estates Land Act, 1908 (Bill No. 2 of 1935), and move that the Bill be taken into consideration."

The motion was duly seconded.

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* Madras Debt Conciliation Bill (Bill No. 9 of 1934).

[9th November 1935

The Hon. Mr. C. A. SOUTER:—" Sir, I beg to move—

'*that the Bill be recommitted to the Select Committee with an instruction that the Select Committee do consider the provisions contained in the following annexure*:—

Annexure.

1. *Notwithstanding anything contained in this Act and without prejudice to the rights or liabilities of the landholders or ryots under this Act, where the rent of any land has been commuted under section* 40 *or has been settled under Chapter XI of the Act, a ryot may file an application before the Collector for the remission of the rent payable by him during any particular fasli on the ground that the average local prices of staple food crops in the taluk or zamindari division are lower by not less than* $18\frac{3}{4}$ *per cent than the average figures of prices on which rent in regard to such land was partly or wholly based.*
2. *The remission shall bear to the rent lawfully payable for the time being the same proportion as the average prices during the fasli, for which the application referred to in sub-section* (1) *is made, bear to the average prices on the basis of which the rent had been previously fixed.*
3. *The application referred to in sub-section* (1) *shall be made during the fasli or within six months after the fasli for which the rent sought to be remitted is due or payable provided that the said application shall not be barred by the fact that the rent payable was previously or subsequently paid or realized.*

Provided that no application to the Collector under this section shall be maintainable;

Unless notice in writing has previously been given to the landholder or to one of them if there are more than one within the fasli in respect of which the reduction of rent is claimed by registered post specifying

(*a*) *the names and the addresses of the applicants;*
(*b*) *the extent and description of holding or holdings in respect of which the reduction is claimed if such application does not relate to an entire village;*
(*c*) *the cause of action for the relief claimed; and*
(*d*) *the relief claimed.*

4. *The pendency of an application under sub-section* (1) *shall not by itself debar a landlord from recovering the lawful rent payable for the time being from the ryot, but it shall be open to the Collector to stay proceedings for the recovery of such portion of such rent on such terms as he shall deem fit. In doing so, the*

Collector may direct the payment of the rest of the rent to the landholder or his authorized agent in the presence of the Collector or any officer authorized by him and within such time as the Collector may fix.

5. *On the making of such an application, the Collector shall, after such enquiry as may be prescribed, determine the amount of the remission to be granted to the ryot.*

6 6. *The order of the Collector under this section shall be final subject to the result of an appeal to the District Collector to be preferred within thirty days of the date of the Collector's order and shall not be questioned by any court.*

7. *The Local Government may frame rules for giving effect to the provisions of this section and in particular for providing for*

   (*a*) *any notice by the ryot to the landholder claiming a remission before an application under this section is made*;

   (*b*) *the ryot or ryots who may join in an application under this section*; *and*

   (*c*) *the enforcement of the order of the Collector or District Collector remitting the rent or varying such order in appeal, or the refund of any rents in consequence of such orders.*

" Sir, the annexure consists of a new draft Bill which proceeds on the principles which the hon. Mover of this motion has referred to in his Bill. The Government consider that this amending Bill will be less open to objection on the score of impracticability than the Bill which has been considered by the Select Committee which advised that it should be dropped. But the Government are not willing to drop the matter altogether and instead propose an alternative Bill which Government are prepared to bring forward before this House and I think therefore, Sir, that this Bill should be recommitted to the Select Committee to consider these provisions."

The Hon. Rao Bahadur A. T. PANNIRSELVAM:—" I beg to second it, Sir."

Rao Bahadur Sir A. P. PATRO:—" Sir, I beg to support that the Bill be recommitted to the Select Committee. I think the main principles of the Bill introduced by Mr. Patnaik and the provisions contained in the annexure are practically the same and meet the difficulties of both the landlord and the tenant. With a few corrections here and there the Bill as it is will meet the necessities and purposes of both the parties. It is true that owing to the present depressed condition the ryots urgently require concession and it must be given to them. This depressed condition is due to the fall in prices and inability of the ryots to make both ends meet. So I support the suggestion of the Hon. the Revenue Member."

[9th November 1935

Sriman M. G. PATNAIK Mahasayo:—" Sir, I move that an instruction be given to the Select Committee that it should present its report by the 12th instant."

The motion was duly seconded.

The Hon. Mr. C. A. SOUTER:—" I object to it, Sir. I am afraid that it is impossible for me to accept the suggestion of my hon. Friend, for we have experienced much difficulty on a former occasion when this Bill was referred to Select Committee with such an instruction."

The motion was by leave withdrawn.

* The Hon. the PRESIDENT:—" The question is that the Bill be recommitted to the Select Committee."

The motion was put and carried.

* Mr. C. BASU DEV:—" I beg to move that item 1 may be taken up after items [a] 4, 6, 8 and 9 on the agenda are disposed of. These items, Sir, will not take more than two minutes of the House. I beg the leave of the House to allow this formal motion."

The motion was duly seconded.

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" I am sorry, Sir, that I am not in a position to agree to my Friend Mr. Basu Dev's motion for we will not have time to go through the Debt Conciliation Bill to-day if we go on postponing the consideration of it."

The motion was put and lost.

IV.—THE MADRAS DEBT CONCILIATION BILL (BILL No. 9 OF 1934)—*cont.*

Clause 3.

* The Hon. the PRESIDENT:—" Hon. Members might remember that the other day we were discussing item No. 14-A [b] and we dispersed so that we might come to an understanding about that item. So I call upon Mr. T. C. Srinivasa Ayyangar to move his amendment to clause 3."

* Mr. T. C. SRINIVASA AYYANGAR:—" Mr. President, Sir, in deference to the wish expressed for an amendment embodying an agreed view, we consulted and came to the understanding the following amendment would be better. I move that—

' for *the second sentence in sub-clause* (1) substitute *the following*:—

" *Such board shall consist of a Chairman and two members appointed by the Government. The Chairman shall be a person who holds or has held an office not lower in rank than that of a Sub-Judge or a Deputy Collector. One at least of the members shall be a non-official.*" '

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[a] The Madras Employees' Protection Bill and the Madras Local Boards Bills of Messrs. G. Rameswara Rao, G. Simhachalam and P. C. Moses.

[b] Mr. P. C. MUTHU CHETTIYAR:—" *For* the second sentence in sub-clause (1) *substitute* the following:—

' Such Board shall consist of a Chairman appointed by the Local Government from among the distinguished retired judicial officers who had held a post not lower than sub-judge's, and two members of whom one shall be a non-official '."